

TECHNOLOGY TRANSFER
COMMERCIALIZATION ACT

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 17, 2000

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of H.R. 209, the Technology Transfer Commercialization Act conference report. This report is the product of over 2 years of hard work on the part of the Committee on Science, the Senate Commerce Committee, the Senate Judiciary Committee, and the Administration.

Developing a version of the legislation that is acceptable to all these parties has been no small feat in the realm of patent policy, and I want to thank Chairman SENSENBRENNER, Ranking Democratic Member GEORGE BROWN, Subcommittee Chairwoman MORELLA, and Subcommittee Ranking Democrat BARCIA for their hard work.

H.R. 209 is the result of the first comprehensive review of federal patent policy in 15 years. The 1980 Bayh-Dole Act, which it amends, has made a major difference in the commercialization of federal inventions. Before Bayh-Dole passed, it was relatively rare for inventions resulting from federal research to reach their market potential. As many as 20,000 federal inventions were patented but not licensed. Only two or three inventions at that point had achieved royalties as high as \$1,000,000, and the total royalty stream for the entire Federal Government at that time was less than the royalties received by a mid-sized research university today.

Bayh-Dole has opened major opportunities to research universities like the University of Colorado. It has been a major contributor to the outreach activities of contractor-operated laboratories like the National Renewable Energy Laboratory. It has led to benefits for federally employed inventors and their laboratories at the Department of Commerce and throughout the government.

Over the nearly 20 years since enactment of the Bayh-Dole Act, we've learned of the need for some improvements. The bill before us takes advantage of the lessons learned and is intended to make the law more user-friendly. It also updates the act to reflect the new ways that industry now gets and shares information.

I am also pleased that the bill includes an amendment promoted by some of my Democratic colleagues on the Science Committee that requires each DOE laboratory to have an ombudsman and to report quarterly on its operations to DOE. This provision addresses problems that citizens around the country have experienced in getting their issues with DOE weapons laboratories addressed in a timely fashion. Small businesses now will have a place to turn within the laboratories to have their concerns addressed, and there will be quarterly reporting of the progress being made by the ombudsmen to all of the pertinent officials within the Department of Energy.

I urge passage of the bill.

EXTENSIONS OF REMARKS

RANGEMASTER JOSEPH BOYD

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 2000

Ms. SANCHEZ. Ms. Speaker, today I have the opportunity to remember and pay tribute to a great man from my community. Joseph Samuel Boyd, the Santa Ana Police Department's Rangemaster, played an integral role in helping to make the streets of Santa Ana safer for all its citizens.

Rangemaster Boyd was dedicated to a life of public service. After serving 24 years in the Marine Corps, including time in Vietnam, and rising in rank from boot recruit to the Officer rank of "Major", Rangemaster Boyd entered a life of law enforcement. After his retirement from the Marine Corps, Rangemaster Boyd became the firearms instructor for the Orange County Sheriff's Department until he was hired by the Santa Ana Police Department in 1993.

During his tenure with the Santa Ana Police Department, Rangemaster Boyd developed a comprehensive training curriculum in firearm proficiency and safety for the Department's 400 officers. The system he developed, "Advanced Firearms Simulator Training" is a state-of-the-art system which simulates real life situations police officers encounter daily. It puts them in real-life situations and requires them to rapidly evaluate and assess a "shoot/don't shoot" scenario. This is now a widely-used training method at law enforcement agencies throughout the country.

In 1995, Rangemaster Boyd played a pivotal role in obtaining a Bureau of Justice Assistance grant for the Santa Ana Police Department's Firearms Trafficking Program. This program allies the Department's Weapons Interdiction Team with the FBI and ATF in combating illegal firearms trafficking.

The program proved to be an unqualified success and Rangemaster Boyd was an integral part of the team effectiveness, as he examined and tested firearms for ballistics evidence.

It was, however, in this capacity that Rangemaster Boyd lost his life. On January 28, 1998, Officer Boyd was testing an outlawed, nine millimeter "MAC 11" machine pistol for ballistics evidence. During the testing, the gun jammed. In an attempt to un-jam the gun, it tragically misfired, killing Rangemaster Boyd.

A devoted family man, Rangemaster Boyd is survived by his wife of 34 years, Marion, two adult children, and two grandchildren.

The loss of Rangemaster Boyd left a void that still resonates today. Unfortunately, this is just the beginning of this tragic story.

Since Rangemaster Boyd was not a "sworn" law enforcement officer, his family was not entitled to the Department of Justice's Public Safety Officers Benefits. Rangemaster Boyd was a "civilian" working in a law enforcement capacity.

These Department of Justice's Public Safety Officers Benefits provide financial relief to family members of law enforcement officers who've lost their lives in the line of duty. Rangemaster Boyd gave his life in the line of duty, in a law enforcement capacity, and his family deserved these benefits.

October 19, 2000

For the past three years, I have worked to correct this wrong. I introduced legislation, H.R. 513 in the House of Representatives which would have clarified that Rangemaster Boyd was a public safety officer who died as a direct result of an injury sustained in the line of duty. I worked with the Department of Justice to clarify this situation, and get Rangemaster Boyd's widow and family the benefits they deserved.

I am pleased that on July 21, 2000 the work of myself, and so many others in the community, paid off when the Department of Justice decided to release the funding to Rangemaster Boyd's family.

The benefit package is just a small expense to the Justice Department, only \$100,000, but it has been a large relief to the Boyd family. I am glad the Federal Government looked beyond this "technicality" and realized what impact these benefits would make.

INTRODUCTION OF THE NATIONAL
DEFENSE FEATURES IMPROVE-
MENT BILL**HON. RODNEY P. FRELINGHUYSEN**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 18, 2000

Mr. FRELINGHUYSEN. Mr. Speaker, as my colleagues know, Congress created the national defense features program in response to a report by the Department of Defense describing a shortage of sealift capacity during military contingencies. This shortage of shipping space for heavy military vehicles and other cargo was best cured by a program such as the NDF program that would be the most cost-effective way to augment the substantial investment that was being made in new sealift ships by the Navy.

Within the last several years, Congress has authorized and appropriated funds to install special defense features in new commercial vessels to be built in the shipyards of the United States. Most recently, at my request and as a result of the leadership of our colleague from Pennsylvania, Mr. WELDON, Congress included in the National Defense Authorization Act for FY 2001 a provision that would expand the Secretary of Defense's ability to fund militarily useful projects under the NDF program.

Since the NDF program was launched, Congress expected that our allies, particularly Japan, would find mutual defense benefits in promoting the program on their trade routes with the United States. Under one project that has received attention, ten commercial vessels would be built in the United States based on a design funded and approved by DARPA's Maritime Technology Program. These vessels would normally operate in the Japan-United States vehicle trade, which is at present entirely dominated by Japanese carriers.

Notwithstanding expressions of support by very senior officials in our government, this expectation has not been realized. The Government of Japan continues to take the position that the decision to employ NDF ships is strictly a matter for the commercial judgment of Japanese vehicle manufacturing and shipping